

United States District Court
for the Northern District of ~~Ohio~~ OHIO

FILED

Frederick Banks,

Petitioner,

v.

Sheriff Jerry Greene;
Deputy Johnson; Deputy Gregory;
SGT. Myers; United States Marshall
Service; Mahoning County Commissioner;
Mahoning County Jail,

Respondents

2018 APR 18 PM 1:18

Case No. 4:18-cv-00884
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

[Evidentiary Hearing Requested]

4:18 CV 0084

Petition for A writ of Habeas Corpus 28 USC + 2241

Petitioner Frederick Banks, an American Indian ("Banks") alleges for his petition for a writ of Habeas Corpus 28 USC + 2241 as follows;

1. Banks is being confined in this District in violation of the Laws and Constitution of the United States his custodians are Jerry Greene, Sheriff and United States Marshall Service.
2. Banks' detention is unlawful because On 4/13/18 while he was sitting on his bed Indian style with his legs crossed writing a discovery motion in his Criminal Case USA v. Banks, 15 CR 168 (WRPA) and reviewing Computer Discovery on his laptop Computer Deputy Johnson under his breath called Banks "a piece of shit" and thereafter Deputy Gregory an and unknown female Deputy by order of SGT Myers entered his cell in the Hole (cell 28) cuffed him and took him to pad 1, cell 8 without his property, computer or external hard drive. Gregory ordered Banks to kneel down on the floor and threatened to spray him with pepper spray if he got up before he exited. Respondents did not return the Computer, harddrive and discovery on it that Banks needs to defend himself/review to fight his federal Criminal case and also did not allow him to order (and pay for with his own funds) a wicca religious book called "Histories" by Herodotus. All in violation of Due Process and the First Amendment Establishment and Due process clause.
3. Accordingly, plaintiff is being held in unlawful confinement by Sheriff Jerry Greene and should be discharged from custody.

Also, a fellow detainee in O pod (The Hole) named Jerome Christian was held in a Hole cell filled with his own feces and urine and Sgt Johnson and Staff failed to allow him to take a shower in violation of the 14th and 8th Amendments.

The Court should take action and order Christian discharged from custody or in the alternative appoint counsel for him to raise these issues. Petitioner raises this issue for Christian pursuant to 28 USC § 2242 as "next friend".

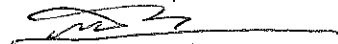
4. Both Banks and Christian are being held at 110 5th Avenue, Youngstown, Ohio

44503 the Mahoning County Jail. Banks moves the Court to appoint a Guardian ad Litem under Fed. R. Civ. Proc. 17(c)(2) because of his declaration of incompetency to represent himself in USDC. Banks is a 168Cwppm (see his 12/12/17 order).

Wherefore, the petition for a writ of Habeas Corpus should be granted and Petitioner should be discharged from custody along with all other requested or warranted relief. A Guardian ad Litem should be appointed.

Exonerated under the penalty for perjury. A hearing should be held + counsel appointed.

Respectfully submitted,



Frederick Banks
110 5th Avenue #0063533
Youngstown, OH 44503

PETITIONER

HAMILTON Brown
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